Remarks

Pending in the application are claims 1-35, of which claims 1, 11, 19 and 32 are independent. This amendment amends claims 1-8, 11-13, 18-21, 25, 27 and 30-32.

Claim 1 was amended to positively recite (rather than inferentially claim) the sliding security plate and to note that the component rack contains components.

Claim 2 was amended to modify the phrase "locking mechanism" to "lock mechanism" so as to establish a proper antecedent basis with claim 1. Claim 2 was also amended to depend off new claim 35 rather than off claim 1. Claim 2 was amended to modify the phrase "a locked position" to "the locked position", so as to be consistent with amended claim 1. Lastly, the term "component" was added before "tray" to establish a clear antecedent.

Claim 3 was amended to change "locking mechanism" to "lock mechanism" so as to establish proper antecedent basis. In addition, the phrase "slidably mounted in a track" was deleted, as this functionality is already recited within claim 1.

Claim 4 was amended in a similar fashion to claim 2.

Claim 5 was amended to depend upon new claim 35. In addition, the phrase "locking mechanism" was amended to "lock mechanism" to establish a proper antecedent basis of claim 1. The term "locking" was added before the term "cover" to more definitively establish proper antecedent basis. Lastly, the phrase "at least one fastener" was modified to strike "at least one" so as to be consistent with amended claim 1.

Claim 6 was amended to depend upon new claim 35. In addition, "locking mechanism" was changed to "lock mechanism". In addition a portion of the claim that is already recited within claim 1 was deleted. Claim 7 was amended to depend upon claim 35. In addition, claim 1 was amended to recite "locking cover" and "component tray," so as to more clearly establish the antecedent basis for these phrases.

Claim 8 was amended to add the term "locking" before "cover" to establish a more clear antecedent basis for this phrase.

Claim 11 was amended to modify "a component rack" to "the component rack" because a component rack is already recited within the preamble of claim 11. Furthermore, claim 11 is amended to add the phrase "at least one" before "tray" so as to more clearly establish antecedent basis. The term "front-facing" was removed to remove

a potential lack of clarity in this phrase within the claim. Claim 11 was also amended to positively recite the sliding security plate rather than to inferentially claim the sliding security plate.

Claim 12 was amended to note that the tray "holds" several components rather than "supporting" several components.

Claim 13 was amended to note that the cover has a plurality of locking mechanisms mounted within it rather than the cover including a plurality of lock mechanisms. It is believed that this amendment clarifies and more closely follows the language of independent claim 11.

Claim 18 was amended to note that the "rack" is a "component rack" to more clearly establish the antecedent basis for this phrase.

Claim 19 was amended to move the language concerning the tray into the preamble, as the tray is part of the component rack. The claim is directed to a locking system that does not include the tray. In addition, claim 19 has been amended to recite the locking mechanism as a separate element to the locking system.

Claim 20 was amended to recite "at least one fastener" rather than simply "said fastener.

Claim 21 was amended to change "a locked position" to "said locked position".

Claim 25 was amended to strike the term "cover" so as to avoid potential confusion with the cover that is part of the locking system. In addition, claim 25 is amended to positively recite the sliding security plate

Claim 27 is modified to depend upon claim 26 rather than claim 19.

Claims 30 and 31 were amended to depend on claim 25.

Claim 32 was modified to positively recite the cover and to clarify the language of the activating step.

All of the amendments to the claims have been made to address matters of form. These amendments are not made to distinguish over the art. These amendments should not have an estoppel effect on these claims.

New claim 35 was added to more fully recite the invention.

In view of the amendments to the claims and the comments set forth below, Applicants respectfully urge the Examiner to pass the claims to allowance.

I. Objection to the Specification

The Examiner has objected to the specification as failing to provide proper antecedent basis for the term "track" as used in the pending claims. Applicants have amended the claims to clarify use of the term "track." The specification provides antecedent basis for the term "track." Lines 28 of page 1 of the pending application states, "There is also a *track* for slidingly supporting a sliding security plate." Furthermore, lines 14-18 of page 2 of the pending application state,

> "According to one aspect of the invention, the locking mechanism is a key lock. The internal workings of the key lock include a pawl, *a track*, and a sliding security plate, such that when the key lock rotates toward a locked position, the pawl slides the security plate along the track. This action covers the at least one fastener anchoring the tray."

In light of these examples, Applicants submit that the term "track" is apparent from the descriptive portion of the specification with clear disclosure as to its import. Additionally, in accordance with 37 C.F.R. 1.75 (d)(1), Applicants further state that the term "track" (24) is identified in the descriptive portion of the specification by reference to Figure 5 of the drawing at page 6, lines 27-28. In light of the above, Applicants submit that the pending specification provides proper antecedent basis for the term "track" and urge the examiner to withdraw his rejection.

II. Informalities objection to Claim 11

The Examiner suggested that "at least one" be inserted on lines 3 and 6 of claim 11 to maintain consistency in the claims. In addressing the Examiner's informality objection to pending claim 11, Applicants submit amended claim 11 which corrects these informalities.

III. Claim Rejections under 35 U.S.C. §112, second paragraph

The Examiner has rejected claims 2-7 and 25, 30 and 31 under 35 U.S.C. §112, second paragraph for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as their invention.

Claim 2-4 are rejected for reciting "a track" and it being unclear what is being referenced. In addressing the Examiner's objection to claims 2-4, Applicant submits amended claims 2-4 which aid in clarifying the track to which applicant is referring.

The Examiner also rejects claim 2 for insufficient antecedent basis for the phrases "said at least one fastener" and "said tray." In response to this rejections, the Applicants have amended claim 2 to address these deficiencies.

The Examiner has rejected claims 5 and 6 for lacking sufficient antecedent basis for the term "said at least one fastener." Claims 5 and 6 have been amended to delete "at least one" before "fastener."

Claim 7 is rejected for lacking sufficient antecedent basis for the term "said tray." Claims 7 has been amended to depend on new claim 35, and Applicants submit that new claim 35 further provides the requisite antecedent basis for the term "said tray."

Claims 25, 30 and 31 are rejected on the basis of insufficient antecedent basis for the phrase "said sliding security plate." Applicants have amended claim 25 to address this problem and amended claims 20 and 31 to depend on claim 25.

IV. Claim Rejections under 35 U.S.C. §102

A. Rejection of claims 1 and 5 under 35 U.S.C. §102

Claims 1 and 5 stand rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No 2,819,692 to Johnson et al. The Applicants respectfully traverse this rejection.

Johnson concerns a safe deposit receptacle designed for installation as a structural element in the wall of a building. This receptacle is constructed of materials strong enough to provide structural rigidity upon installation in keeping with the strength of the component replaced by the receptacle. For example, a safe deposit box may be sized and shaped to replace a standard cement building block such that the safe deposit box may be placed in an area vacated by this building block while simultaneously providing similar structural strength as the original building block. This replacement safe deposit receptacle may be constructed of reinforced concrete, which is both fireproof and tamperproof. Furthermore, this concrete replacement block includes a metallic front panel (i.e., a door) incorporating a locking mechanism for securing the metallic front panel in a closed position. The metallic front panel is manufactured of steel, and includes a hollow cavity which may be filled with a thermally insulating material such as

fiberglass, thereby providing fire protection of the interior contents of the safety deposit box. Furthermore, the safety deposit box of Johnson includes a locking mechanism comprising a keyed lock as well as a pair of laterally extending lock bars. Upon operating the keyed lock assembly, these locking bars are moved laterally outward, thereby engaging recesses (21 and 22) located within the internal walls of the safety deposit box cavity. These recesses are sized to accept the extended locking bars and serve to secure the safety deposit box cover to the safety deposit box case.

Claims 1 and 5 of the pending application, in comparison, recite a locking cover for a component rack containing components. The cover includes at least one lock mechanism. The lock mechanism includes a sliding security plate such that the lock mechanism extends beyond one end of the cover to prevent access to the components. Johnson fails to disclose a locking cover for a *component rack* as required by claims 1 and 5. In addition, Johnson does not disclose a sliding security plate that prevents access to components in a component rack, as required by claims 1 and 5.

In light of the above, Applicants respectfully submit that the cited art to Johnson fails to disclose each element of pending amended claim 1. Applicants therefore ask the Examiner to pass amended claim 1 to allowance.

B. Rejection of claims 11, 12, 14, 18, 19, 20, 24, 25, 28, and 32 under 35 U.S.C. §102

Claims 11, 12, 14, 18, 19, 20, 24, 25, 28 and 32 are rejected under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 4,401,247 to Zoor. Applicants respectfully traverse this rejection.

Zoor recites a fastening device for supporting brackets or luggage racks on the external drip rail of an automobile. This mounting arrangement includes a supporting foot (1) which is located in contact with the vehicle drip rail, as well as a hooked clamping claw (4) which engages the external surface of the vehicle drip rail. This clamping claw (4) is held in position by a threaded fastener such that the clamping claw may capture the supporting foot against the vehicle drip rail, thereby allowing items such as a vehicle roof rack to be attached. Additionally, the Zoor reference discloses a protecting cap which covers the mounting screw. Installed within the protective cap at a

level below the mounting screw is a keyed locking device, such that when in the locked position access to the mounting screw is prevented.

Zoor fails to anticipate claims 11, 12, 14, 18, 19, 20, 24, 25, 28 and 32. Claims 11, 12, 14, 18, 20, 24, 25 and 28 are not anticipated by the mechanical automotive drip rail fastening device of Zoor. In particular, Zoor fails to disclose a tray that is slidably mounted within a component as a required by the recited claims. In addition, Zoor fails to disclose a "component rack," rather it relates to a support for a luggage rack. Interpreting a luggage rack as a component rack is contrary to the customers usage of "component rack." Furthermore, Zoor fails to disclose a sliding security plate that is extendable to block access to the fastener, as required by the rejected claims.

Claim 18 is additionally novel because it requires that the cover be shaped like a handle for placement of the tray within the component rack. Zoor fails to disclose such a limitation.

Claims 19, 20, 24, 25 and 28 are not anticipated by Zoor. These claims require a locking system for a component rack that include a tray that is slidably mounted within the component rack. Zoor fails to disclose such a locking system for a component rack where a tray is slidably mounted within the component rack. Moreover, Zoor fails to disclose a locking mechanism that prevents access to an access port to at least one fastener, as required by the rejected claims 19, 20, 24, 25 and 28. Accordingly, the Applicants respectfully urge reconsideration of the rejections of these claims.

Claim 32 is not anticipated by the disclosure of Zoor. Claim 32 is directed to a method of securing the tray within a component rack. Zoor fails to disclose a tray and fails to disclose a method for security a tray within a component rack. Instead, Zoor is directed to a support for a luggage rack. In addition, claim 32 requires the step of "sliding said tray into a closed position within said component rack. This limitation is not disclosed by Zoor. Still further, claim 32 requires the step of "sliding a security plate within said cover until said security plate covers and inhibits access to an access aperture leading to at least one fastener anchoring said tray into said component rack." Hence, the Applicants respectfully urge reconsideration of the rejection of claim 32.

V. Claim Rejections under 35 U.S.C. §103

A. Rejection of claims 8-10 under 35 U.S.C. §103

Claims 8-10 stand rejected under 35 U.S.C. §103 as being rendered obvious by Johnson et al. The Applicants respectfully traverse this rejection.

Dependent claims 8-10 of the pending invention depend on independent claim 1 for support. Applicant submits that independent claim 1 of the pending application contains non-obvious subject matter. Applicants specifically submit that the locking cover for a component rack wherein a locking mechanism is coupled with a sliding security plate as recited in claim 1 is non-obvious over the teachings of Johnson. Johnson fails to teach or suggest a locking cover for a component rack rather it is directed to a safety deposit box. In light of the dependence of claims 8-10 on claim 1, Applicants submit that amended claims 8-10 are in position for allowance. Applicants therefore request that the Examiner pass dependent claims 8-10 to allowance.

B. Rejection of claim 17 under 35 U.S.C. §103

Regarding the Examiner's rejection for claim 17 as being unpatentable over Zoor, Applicants respectfully traverse this rejection. An noted previously, Zoor teaches a fastening device for use on an automobile drip rail. In comparison, pending independent claim 11, on which claim 17 depends, teaches a locking system for a component rack. Applicants submit that pending claim 11, as amended, is non-obvious in light of Zoor. Pending claim 11 recites a locking cover for a component rack that includes at least one slidable mounted tray, as well as at least one lock mechanism coupled with a sliding security plate extendable to block an aperture that provides access to at least one fastener. Applicants respectfully submit that the cited art to Zoor, which discloses a fastening device for mounting a luggage rack to the drip rail of an automobile, fails to render the computer component rack obvious. In light of the above, Applicants now submit that dependent claim 17 is therefore allowable, and respectfully urge the Examiner to pass claim 17 to allowance.

C. Rejection of claims 15 and 22 under 35 U.S.C. §103

Claims 15 and 22 are rejected under 35 U.S.C. §103 as being rendered obvious by Zoor and Loughlin (U.S. Pat No. 5,865,043). Applicants respectfully traverse this rejection.

Loughlin discloses a padlock consisting of a two tapered shackle element such that these two tapered shackles overlay each other such that when in contact with each other a traditional U-shaped shackle is formed. When placed in the unlocked position, these two tapered shackle elements are free to move apart such that the padlock hasp may be placed between these tapered elements thereby allowing the subsequent locking of the shackle and the retention of the hasp.

Applicants submits that pending claims 11, 19, on which claims 15 and 22 respectively rely, are non-obvious over the teachings of Zoor and Loughlin. In light of this, Applicants respectfully submit that claims 15 and 22 are thereby allowable. Applicants further submit that there exists no motivation to combine the locking mechanism for use in an automotive luggage rack device of Zoor with a combination lock of Loughlin when designing a locking system for a component rack. Applicants therefore request that the Examiner pass claims 15 and 22 to allowance.

D. Rejection of claim 16 and 23 under 35 U.S.C. §103

Claims 16 and 23 are rejected under 35 U.S.C. §103 as being unpatentable over Zoor in view of U.S. Patent No. 5,401,897 to Edmondson, Applicants respectfully traverse said rejection.

Edmondson teaches a vehicle wheel locking device such that said device attaches to a vehicle lug nut. This device additionally contains a chock which is situated such that the chock prevents rotation of the vehicles wheel is upon installation of the locking device. Furthermore, the Edmondson device incorporate at least one lock sleeve which allows attachment of a padlock or tumbler lock which serves to prevent removal of the wheel locking device absent a means for removing the aforementioned lock.

Applicants submit that the Zoor and Edmondson references, alone or in combination, fail to render obvious claims 16 and 23. Firstly, and noted earlier, Applicants submit that independent claims 11 and 19, on which dependent claims 16 and 23 rely on, contain non-obvious subject matter. In light of this, Applicants submit that

claims 16 and 23 are thereby allowable. Furthermore, Applicants submit that there exists no motivation to combine a vehicle luggage rack retention system with a vehicle immobilizing device in inventing a locking system for a *component rack*. In light of the above, Applicants submit that claims 16 and 23 are in condition for allowance and ask that the examiner proceed in passing said claims to allowance.

E. Rejection of claims 13, 26, 27 and 29-31 under 35 U.S.C. §103

Claims 13, 26, 27 and 29-31 stand rejected under 35 U.S.C. §103 as being rendered obvious by Zoor. Applicants respectfully traverse this rejections as to claim 13. Applicants submit that claim 13 is a non-obvious combination with the subject matter of independent claim 11. Applicants further submit that pending claim 13 additionally is not obvious in light of Zoor, as Zoor teaches at column 4, line 31, "... a bolt which is located in the interior of said cap." Whereas claim 13, requires multiple lock mechanisms, which are not taught by Zoor.

As to claims 26 and 27, Applicants submit that Zoor fails to render the use of multiple fasteners obvious, as required by these claims. Additionally, as noted previously, Zoor explicitly teaches the use of a singular fastener in claim 2. As to claims 29-31, Applicants submit that these are non-obvious combinations with the non-obvious subject matter of claim 19.

VI. Conclusion

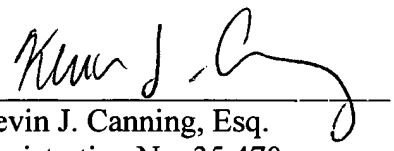
In light of the aforementioned claim amendments, Applicants contend that each of the Examiners rejections have been adequately addressed and the pending application is in condition for allowance

Attached hereto is a marked up version of the changes made to the claims by the current amendment. The attached page is captioned **"Version with markings to show changes made."** Should the examiner feel that a telephone conference with Applicants' attorney would expedite prosecution of this application, the

Examiner is urged to contact the Applicants' attorney at (617) 227-7400.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP



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Dated: **October 7, 2002**

Version with Markings to Show Changes Made

Amended Claims

1. A locking cover for a component rack containing components, comprising:

at least one lock mechanism mounted within said locking cover, wherein said lock mechanism includes a sliding security plate that extends beyond one end of said locking cover when in a locked position to prevent access to at least one of the components; and

a track for slidingly supporting ~~a~~the sliding security plate ~~extendable beyond one end of said cover; and~~

~~wherein said lock mechanism is coupled with said sliding security plate, such that said lock mechanism extends said sliding security plate laterally from said one end of said cover~~.

2. The locking cover according to claim 35~~1~~, wherein said ~~locking~~lock mechanism ~~is comprised of~~further comprises a key lock, and a pawl~~, a track, and said sliding security plate,~~ such that when said key lock is rotated toward ~~a~~the locked position, said pawl slides said security plate along said track, covering said at least one fastener of said component tray.

3. The locking cover according to claim 1,wherein said ~~locking~~lock mechanism is a combination lock coupled with said sliding security plate ~~slidably mounted in a track~~.

4. The locking cover according to claim 1, wherein said ~~locking~~lock mechanism is a padlock ~~and said sliding security plate is slidable along a track~~.

5. The locking cover according to claim ~~1~~35, wherein said ~~locking~~lock mechanism is positioned at one end of said locking cover, proximal to said ~~at least one~~ fastener.

6. The locking cover according to claim ~~1~~35, wherein said ~~locking~~lock mechanism is positioned distal from said locking ~~at least one~~ fastener~~, and said sliding security plate extends to cover said at least one fastener when in a locked position~~.

7. The locking cover according to claim ~~1~~35, wherein said locking cover forms a handle for

pulling and pushing said component tray in and out of said component rack.

8. The locking cover according to claim 1, wherein said locking cover is made of a plastic material.

11. A locking system for a component rack, comprising:

at least one tray slidably mounted within ~~a~~the component rack;

at least one fastener removably anchoring said at least one tray to said component rack in a retracted position;

a cover on a ~~front-facing~~ portion of said at least one tray; ~~and,~~

at least one lock mechanism mounted within said cover; and~~, said lock mechanism~~

~~coupled with a sliding security plate extendable to block an aperture that provides access to said at least one fastener.~~

a sliding security plate that is extendable to block access to said at least one fastener.

12. The system according to claim 11, wherein said at least one tray ~~supports~~ holds several components.

13. The system according to claim 11, wherein said cover ~~includes~~has a plurality of said lock mechanisms mounted within said cover.

18. The system according to claim 11, wherein said cover is shaped to serve as a handle for placement of said at least one tray within said component rack.

19. A locking system for a component rack said component rack including, a tray slidably mounted within said component rack, said tray anchored to said component rack in a closed position by at least one fastener, such that removal of said tray requires access to and removal of said at least one fastener comprising:

~~a tray slidably mounted within said component rack, said tray anchored to said component rack in a closed position by at least one fastener, such that removal of said tray requires access to and removal of said at least one fastener; and,~~

a cover mounted to said tray~~, said cover including~~

a locking mechanism which prevents access through ~~an~~said access port to said at least one fastener while in a locked position, and allows access through said access port to said fastener while in an unlocked position.

20. The locking system according to claim 19, wherein said at least one fastener is a threaded fastener.

21. The locking system according to claim 19, wherein said locking mechanism is comprised of a key lock, a pawl, a track, and a sliding security plate, such that when said key lock is rotated toward ~~a~~said locked position, said pawl slides said security plate along said track, covering said at least one fastener of said tray.

25. The locking system according to claim 19, wherein said locking mechanism is positioned distal from said at least one fastener, and said locking mechanism includes a sliding security plate that extends to ~~cover~~prevent access to said at least one fastener.

27. The locking system according to claim ~~19~~26, wherein said tray is additionally anchored to said component rack by at least one threaded fastener proximal to a second end of said cover.

30. The locking system according to claim ~~19~~25, wherein said sliding security plate is made of a metal material.

31. The locking system according to claim ~~19~~25, wherein said sliding security plate is made of a plastic material.

32. A method of securing a tray within a component rack, comprising the steps of:
sliding said tray into a closed position within said component rack;
a cover for said tray;

sliding a security plate within a~~s~~aid cover until said security plate covers and inhibits access to an access aperture leading to at least one fastener anchoring said tray into said component rack; and
activating a locking mechanism located within said cover of said tray and coupled to said security plate, to lock~~locking~~ said security plate in place.

New Claim

35. The locking cover of claim 1, wherein the component rack includes a component tray for holding at least one component and said component tray is secured to the component rack by a fastener and wherein the sliding security plate covers the fastener so as to prevent access to the fastener.